

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Henry Fliss

**Examiner:** Unassigned

**Serial No.:** Unassigned

**Art Unit:** Unassigned

**Filed:** Herewith

**Docket:** 13595ZYY

**For:** ZINC IONOPHORES AS  
THERAPEUTIC AGENTS

**Dated:** January 16, 2004

Commissioner for Patents  
United States Patent and Trademark Office  
Alexandria, VI 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the references,  
which are listed on the attached Form PTO-1449, be made of record in the above-identified case.

---

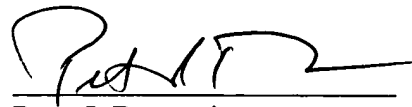
**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Express Mail Mailing Label No.:** EV 267607478US

**Date of Deposit:** January 16, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, P. O. Box 1450, Alexandria, Virginia 22313-1450.

Dated: January 16, 2004

  
\_\_\_\_\_  
Peter I. Bernstein

Pursuant to 37 C.F.R. §1.98(d), copies of the above listed references are not provided, as the references were previously submitted to the Examiner in connection with the parent case, U.S. Serial Number 10/205,973, filed on July 26, 2002, which is a continuation of U.S. Serial Number 09/759,091, filed on January 12, 2001, which is a continuation-in-part of U.S. Serial Number 09/602,829, filed on June 23, 2000. Reference numbers 11-15 were cited by the Examiner in connection with the parent case, U.S. Serial Number 10/205,973, filed on July 26, 2002, therefore copies are not provided.

Consideration of this Information Disclosure Statement is respectfully requested.

Inasmuch as this Information Disclosure Statement is being mailed prior to the issuance of a first Official Action, no fee or certification is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a stylized flourish at the end.

Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
PIB:ab

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE  <div style="text-align: center;"><b>LIST OF PRIOR ART CITED BY APPLICANT</b></div> <i>(Use several sheets if necessary)</i>		<b>Atty. Docket No. (Optional)</b>  13595ZYX	<b>Application Number</b>  Unassigned				
		<b>Applicant(s)</b> Henry Fliss					
		<b>Filing Date</b> Herewith	<b>Group Art Unit</b> Unassigned				
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER INITIAL*</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE (if appropriate)</b>
	AA						
	AB						
	AC						
<b>FOREIGN PATENT DOCUMENTS</b>							
	<b>REF</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>
							<b>YES</b> <b>NO</b>
	1	Hei 10-101566	4/21/98	Japan			
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	2	Treves, S. et al., "Apoptosis is dependent on intracellular zinc and independent of intracellular calcium in lymphocytes", <u>Experimental Cell Research</u> , 211(2): 339-343 (1994)					
	3	Zalewski, P. et al., "Correlation of apoptosis with change in intracellular labile Zn(II) using Zinquin ((2-methyl-8-p-toluenesulphonamido-6-quinoloxyl)acetic acid), a new specific fluorescent probe for Zn(II)", <u>Biochemical Journal</u> , 296(2): 403-408 (1993)					
	4	Zalewski, P. et al., "Physiological Role For Zinc in Prevention of Apoptosis Gene-Directed Death", <u>Biochemistry International</u> , 24(6): 1093-1102 (1991)					
	5	Matsushita K. et al., "Effect of systemic zinc administration on delayed neuronal death in the gerbil hippocampus", <u>Brain Research</u> , 743(1-2): 362-365 (1996);					
	6	Carmody, R. et al., "Reactive oxygen species as mediators of photoreceptor apoptosis in vitro", <u>Experimental Cell Research</u> , 248(2): 520-530 (1999)					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE  <div style="text-align: center;"><b>LIST OF PRIOR ART CITED BY APPLICANT</b></div> <div style="text-align: center;"><i>(Use several sheets if necessary)</i></div>		<b>Atty. Docket No. (Optional)</b>  13595ZYX	<b>Application Number</b>  Unassigned				
		<b>Applicant(s)</b> Henry Fliss					
		<b>Filing Date</b> Herewith	<b>Group Art Unit</b> Unassigned				
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER INITIAL*</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE (if appropriate)</b>
	AA						
	AB						
	AC						
<b>FOREIGN PATENT DOCUMENTS</b>							
	<b>REF</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>
							<div style="display: flex; justify-content: space-around;"> <span>YES</span> <span>NO</span> </div>
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	7	Tagami, M. et al., "Vitamin E prevents apoptosis in hippocampal neurons caused by cerebral ischemia and reperfusion in stroke-prone spontaneously hypertensive rats", <u>Laboratory Investigation</u> , 79(5): 609-615 (1999)					
	8	Tagami, M. et al., "Vitamin E prevents apoptosis in cortical neurons during hypoxia and oxygen reperfusion", <u>Laboratory Investigation</u> , 78(11): 1415-1429 (1998)					
	9	Tagami, M. et al., "Vitamin E prevents apoptosis in hippocampal neurons caused by cerebral ischemia and reperfusion in stroke-prone spontaneously hypertensive rats", <u>Stroke</u> , 29(1): 279 (1998)					
	10	Kubota, M. et al., "Neuroprotective effect of zinc complex with high membrane permeability after transient cerebral ischemia in the rat", <u>Biology and Medicine</u> , 154-155 (1998) with English language abstract					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE  <div style="text-align: center;"><b>LIST OF PRIOR ART CITED BY APPLICANT</b></div> <div style="text-align: center;"><i>(Use several sheets if necessary)</i></div>				<b>Atty. Docket No. (Optional)</b>  13595ZYX		<b>Application Number</b>  Unassigned	
				<b>Applicant(s)</b> Henry Fliss			
				<b>Filing Date</b> Herewith		<b>Group Art Unit</b> Unassigned	
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER INITIAL*</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE (if appropriate)</b>
	11	4,321,257	3/1982	Sipos	424	80	
	12	5,880,098	3/1999	Haussinger	514	23	
	13	6,210,976	4/2001	Sabbadini	436	518	
	14	6,407,090	6/2002	Fliss	514	188	
	15	6,495,538	12/2002	Fliss	514	188	
<b>FOREIGN PATENT DOCUMENTS</b>							
	<b>REF</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>
							YES      NO
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							